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|--|---------------------------------|----------------------------|-----------------------|------------------------|--------------------------|--|
| <b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b><br>(Under 37 CFR 1.97(b) or 1.97(c))  |                                 |                            |                       |                        | Docket No.<br>14987      |  |
| In Re Application of: <b>Masayuki Kushita</b>  |                                 |                            |                       |                        |                          |  |
| Application No.<br>09/974,957  | Filing Date<br>October 11, 2001 | Examiner<br>Joseph T. Phan | Customer No.<br>23389 | Group Art Unit<br>2645 | Confirmation No.<br>7585 |  |
| Title: <b>AUTOMATIC SOUND REPRODUCING FUNCTION OF CELLULAR PHONE</b>   |                                 |                            |                       |                        |                          |  |
| Address to:<br><b>Commissioner for Patents</b><br><b>P.O. Box 1450</b><br><b>Alexandria, VA 22313-1450</b>   |                                 |                            |                       |                        |                          |  |
| <b>37 CFR 1.97(b)</b>  |                                 |                            |                       |                        |                          |  |
| 1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. |                                 |                            |                       |                        |                          |  |
| <b>37 CFR 1.97(c)</b>  |                                 |                            |                       |                        |                          |  |
| 2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:   |                                 |                            |                       |                        |                          |  |
| <div style="margin-left: 40px;"> <input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e);         </div>   |                                 |                            |                       |                        |                          |  |
| <b>OR</b>  |                                 |                            |                       |                        |                          |  |
| <div style="margin-left: 40px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).         </div>  |                                 |                            |                       |                        |                          |  |

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
14987

In Re Application: Masayuki Kushita

|                               |                                 |                            |                       |                        |                          |
|-------------------------------|---------------------------------|----------------------------|-----------------------|------------------------|--------------------------|
| Application No.<br>09/974,957 | Filing Date<br>October 31, 2001 | Examiner<br>Joseph T. Phan | Customer No.<br>23389 | Group Art Unit<br>2645 | Confirmation No.<br>7585 |
|-------------------------------|---------------------------------|----------------------------|-----------------------|------------------------|--------------------------|

Title: **AUTOMATIC SOUND REPRODUCING FUNCTION OF CELLULAR PHONE**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013 SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
  - ☐ Credit any overpayment.
  - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

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Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

May 24, 2005  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Seth M. Weinfeld

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

**\*This certificate may only be used if paying by deposit account.**

Dated: May 24, 2005

Seth M. Weinfeld, Reg. No. 50,929  
Scully, Scott, Murphy & Presser

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Masayuki Kushita  
**Serial No.:** 09/974,957  
**Filed:** October 11, 2001  
**For:** AUTOMATIC SOUND  
REPRODUCING FUNCTION  
OF CELLULAR PHONE  
**Examiner:** Joseph T. Phan  
**Art Unit:** 2645  
**Docket:** 14987  
**Dated:** May 24, 2005

**Confirmation No.:** 7585

Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are listed on the attached Form PTO-1449, be made of record in the above-identified case.

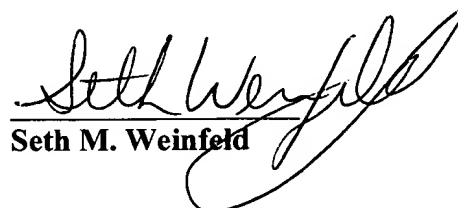
1. Japanese Laid-Open Patent Application No. 1-270447 dated October 27, 1989;
2. Japanese Laid-Open Patent Application No. 11-298962 dated October 29, 1999;  
and

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, Virginia 22313-1450 on May 24, 2005.

**Dated:** May 24, 2005

  
**Seth M. Weinfeld**

3. Japanese Laid-Open Patent Application No. 9-51376 dated February 18, 1997.

The references were cited in an Official Action dated March 25, 2005 received from the Japanese Patent Office, a copy of which is enclosed. Applicant is submitting copies of the above-cited references, together with an English translation of the Examiner's comments regarding the references from the Official Action. References No. 1-3 under Listed of Cited Documents etc. were previously submitted in applicant's Information Disclosure Statement dated April 19, 2004. The relevance of the references is described in the Official Action.


In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

The undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a

09/974,957

counterpart foreign application not more than three months prior to the filing of this Information  
Disclosure Statement.

Respectfully submitted,

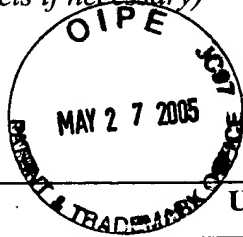


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SMW:ae

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)***Atty. Docket No. (Optional)**

14987

**Application Number**

09/974,957

**Applicant(s)**

Masayuki Kushita

**Filing Date**

October 11, 2001

**Group Art Unit**

2645

**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL* | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>(if appropriate) |
|----------------------|-----------------|------|------|-------|----------|---------------------------------|
|                      |                 |      |      |       |          |                                 |
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|                      |                 |      |      |       |          |                                 |

**FOREIGN PATENT DOCUMENTS**

| REF | DOCUMENT NUMBER | DATE     | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|-----|-----------------|----------|---------|-------|----------|-------------|----|
|     |                 |          |         |       |          | YES         | NO |
|     | 1-270447        | 10/27/89 | Japan   |       |          |             |    |
|     | 11-298962       | 10/29/99 | Japan   |       |          |             |    |
|     | 9-51376         | 2/18/97  | Japan   |       |          |             |    |
|     |                 |          |         |       |          |             |    |

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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**EXAMINER****DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.